HE ERA OF EXTRAVAGANCE. DESAN WHEN CONGRESS DIVIDED THE RESPONSIBILITY.

metions of Handall and Gardeld When the Mouse Distributed the Appro platfer Bills Among the Various Comnes More Than Paidlies-All of the tation Bills Lorgely Encreased, and Some More than Doubled.

VARISOTOR, March &-Mr. Sayers and Mr. policy of the House Appropriations Commit-ted by printed speeches in the Congressional land showing in detail the scope and charof the appropriations authorized, and ing them most effectively with the apcontracting them most effectively with the approximations made by the preceding Congress, with the Democrats controlled. Senator terms, as the Democratic leader in Congress, as other Senators holding like views, have at made any such speeches, evidently best made that the most effective means that the most effective means of besedting their party with respect to such comparisons will be to wait until my years hence, and then point to the percentile record of deeds accomplished ratio record of deeds accomplished by the Pity-second Congress rather than to by the Fifty-second Congress rather than to other a contact in advance between what they expect to do and what the Republicans have done. They fully realize the difficulties that will beet the Fifty-second Congress if the section of making appropriations is continued. Ther appreciate the fact that the next form contains no economist of such prejes of leadership, fron nerve and secrete knowledge as the lamented Samuel J. Reedall, who guarded and defended the Treasmoviedge as the lamented Samuel J. sie courage during many Demospile Congresses. During the first Congress is which he presided over the Committee on Appropriations and in succeeding Congresses, is not ear saved to the Government \$50,000. to of meany a year, but actually improved and increased the efficiency of the public service threshout the various bureaus and de-

It is held by men who have made a close port of the subject that the unnecessarily exinvariant nature of the past appropriations is largely due to the peculiar system under which they were made. Prior to 1865, when the Committee on Appropriations was created, sh centrol of appropriations. From that date sell the Forty-sixth Congress, in 1880, the tee on Appropriations has held undis peted sway in the preparation of bills for the ture of the public money. In 1880 the greatest toward a division of responsibility in taking away from the Committee on integriations the bill providing for the ex-poses of the Agricultural Department. The line and Harbor bill had hitherto been prepoint jointly by the Committee on Commerce and the Committee on Appropriations, but at that Compress it likewise was turned over to a sew committee, that on Rivers and Harbors. In the Ferty-ninth Congress another raid was made upon the Committee on Appropriations. Mr. Randall stoutly resisted the onset, but the hees against him were overwhelming. The select of Democrats of the so-called tariff norm school showed itself in the attempt a cipple Randall's power as Chairman of the office on Appropriations, and the movement enlisted other advocates among various seer statesmen, whose ambitions led them to perers enlarged by the distribution of appromistion bills. They carried the day. Six imertant bills were taken from the jurisdiction of the Committee on Appropriations, and the samittees on Pest Omose and Post Acada, Hittsry Affairs, Indian Affairs, Naval Affairs, as Forsian Affairs were respectively sharped with the preparation of the Post Office bill, is Army and Hilltary Academy, the Navy, Indian, and the Diplomatic and Consular bills a the Forty-sixth Congress, when the first stempt was made to distribute the appropriates bills among averal committees, James A

in the Forty-made to distribute themps was made to distribute. James the mong several committees, James to be blie among several committees, James the first of the statement of h my own mind of the truth of the statement, has the medicring of these appropriations as measured by greatemen here will absolutely used down all economy and good order and seascement of our finances. It cannot believise. There can be no safety to our meary. I hope, therefore, gentlemen will streak down the old conservative habits we migray around the Committee on Approiall made a similar prediction when liyou undertake to divide all these appro-

meght to be but one, you will enter upon public cirrawagance you cannot foresee the sent of the depth of until we find the heart of the depth of until we find the heart of the depth of until we find the heart of the depth of until we find the heart of the depth of until we find the heart of the depth of until we find the heart of the depth of appropriations made her to this has ewolen from \$185,000 in 1881 to get that \$1,000,000 this year. The River and store till has sumped from \$3,000,000 since heart oil has jumped from \$3,000,000 since heart oil has jumped from \$3,000,000 this we fill has foresard heart of the formation of the first of the formation of the first of the first season was taken from the Committee on Mistory and the first of the formation of the first season of the first control of the first season of the first season of the first season of the first formation of the first formation of the first congress, theorem that the appropriations of the first season of the first formation of the first season of the first season of the first season of the first hand of the first formation of the first formation of the fi

asin argument used by those who fae distribution of appropriations in
1888 was that under one committee
were delayed until the cleans days of
a to an extent that thwarted other

business and consected legislation in the less hours. It was also argued that these inconveniences would be wholly obviated by the new method. In the session just closed the general appropriation bills, as a whole, including those prepared by the separate committees, were reported at later dates than ever before in the history of Congress. Almost every day of the last four weeks of the season there were unseemly controversies on the floor of the House between the chairmen of rival committees in charge of appropriation bills ever the questions of precedence in the consideration of their respective measures. When Mr. Randall began his victorious crusade in behalf of economy, at the beginning of the Forty-fourth Congress, his main purpose was to reduce the expenditures of the Government within the revenues, and to such an extent as to render possible the resumption of specie payments, then impending under act of Congress. In doing this he adoptes a philosophic rule for the reduction of expenditures. He held that there should be a reduction of 10 per cent above a certain grade, and a general reduction of appropriations of other sorts. He applied this rule to every branch of the Government of the properlistion behad control.

It is claimed by the critics of the present system of constructing the appropriation bills, therefore, that if there is any lesson to be learned from the showing produced by Mr. Bayers and Mr. Dockery, then the plain dury of the next Congress is to reduce the expenditures of the Government at least \$60,000,000 below the appropriations of the Fifty-first Congress. With eight rival committees of the House figuring on the problem by different methods and in different ways, no satisfactory result seems possible. Each committee is naturally actuated by the desire to magnify and dimity the particular branch of the Government which it takes care of. Hence it is believed to fibe absolutely needful in order to secure harmony in method and coherency in action, of money should be entrusted to one control

NEW ORLEANS DRAINAGE CASE.

The Supreme Court Decides Against Grover Cleveland's Citents. WARRINGTON, March 9.—The Supreme Court to-day affirmed the judgment of the Circuit Court of the United States for the Eastern District of Louisians in the case of James Wal-lace Peake et al., appellant, vs. the City of New Orleans. This is the New Orleans drainage case, in which ex-President Cleveland was one of the counsel for appellants. The decision of the Court was against the parties who Mr. Cleveland represented, though Justice Lamar dissented in the opinion read by Jus-

The Louisiana Legislature in 1853 passed an act providing a general drainage system for New Orieans and suburbs, the work to be undertaken under the direction of the Boards of commissioners and to be paid for by special assessments to be made on property benefited by the improvements. Bonds were issued to pay for the drainage warrants. Peake, as a bondholder, obtained judgment against the city, which was charged by the subsequent act of the Legialature with the collection of assessments and their payment to creditors as trustee, and then by present proceedings sought to compel the city to pay judgment.

The Court holds that, as the city had nothing to say about the work, its responsibility should be as narrow as possible. As to the contention of counsel that as the city is charged with the collection of the assessments, it should be made liable for the claims of the sppellant the Court holds that the proper remedy would be by mandamus to compel the city officers to collect taxes, but that there is no evidence that the city has been delinquent, the testimony showing that assessments could not be collected because the land was not worth the taxes. With regard to the claim that the city is liable for \$700,000, the amount of assessments on streets and public parks, the Court holds that, as the city took up \$1,500,000 worth of drainage warrants, it has equitably fulfilled its liabilities; and the third contention that the city was liable because it had taken the work of reclamation off the contractor's hands and then abandoned it, so that assessments could not be collected, is disposed of with the statement that this was a matter with which third parties, the bondholders, had nothing to do. Commissisioners, and to be paid for by special

GULF COAST NAVAL DRY DOCK.

The Commission Selects a Site in the Misstssippi Opposite New Orleans. WASHINGTON, March 9.- The report of the Commission appointed to select a site for a dry dook on the waters of the Gulf of Mexico the primary requisites for the dock were: A clear channel to the sea at least 26 feet deep. sterility of foundation to support a load of 15.000 tons, and protection by a distance of twelve miles or by an intervening elevation of things being equal, proximity to the centre of mine the best location for the dock. The points visited by the Commission were Key West, Tampa, Pensacola, Mobile, Port Eads, New Orieans, Galveston, and Aransas Pass. Tortu-gas Keys and Key West Were found to be too close to the sea and exposed to the fire of an enemy. At Tamps, Mobile, and Pensacola the channels were too shallow, as was the case with nearly all of the other places visited. channels were too shallow, as was the case with nearly all of the other places visited.

The Commission says that the South Pass of the Mississippi affords the only entrance 26 feet deep to a harbor far enough from the sea to be safe from gun fire. On the shoree of the river the primary requisites for a site are found. The bank of the river on the Aiglers side, from the Southern Pacific Railroad ferry downward 2.000 or 3.000 feet, is clear and clean, and has remained so for years, and here is the naval reservation. Accordingly the Commission selected the site next adiolning the property of the railroad company. The owners and prices of the property are described as follows: C. C. Live Stock Company. \$50,000: Olivier estate, \$100,000. and the remainder belongs to the Government, having been purchased for naval purposes. The price asked for the Olivier property is said to be excessive in the opinion of the New Orleans citizens' committee and of the Commission.

Ex. Postmaster Hunter of Cornwall Sues a Police Constable for Slander.

NEWBURGH, March 9.-Henry Hunter, Postmaster at Cornwall, under Cleveland, to-day had Police Constable Walter Wood arrested o an order issued by Judge Barnard in a suit against Wood for damages for alleged slander and defamation of character. Under Sheriff Goodale served the warrant of arrest and Wood subsequently gave bail. As a basis for Wood subsequently gave bail. As a basis for the suit Hunter presents the affidavits of several persons, including the editor of the local paper, which set forth that Wood said that he (Hunter) had stolen money from George Stevenson, the proprieter of the Cornwall ferry, whose deposits in a Newburgh bank he was in the habit of making. The complaint says that Wood said that Hunter had taken money out of Stevenson's bank book to pay a note of his own and allowed one of Stevenson's notes to go to protest. Stevenson makes a flat denial of all this in behalf of Hunter. Other suits that will follow will be aimed at some of the village trustees, who have been bearing down pretty hard on Hunter, who is proprietor of a hack line in the village, and who has been bothered much of late by the village authorities because of trouble over his license.

The Cases of Jugire and Weed Before the Supreme Court.

Washington, March 9.—Attorney-General

WASHINGTON, March 9.-Attorney-General Tabor of New York to-day filed motions to dismiss. affirm. or advance in the cases of the appeals brought by Shibuya Jugiro and Joseph Wood from the decisions of Judge Lacombe Wood from the decisions of Judge Lacombe refusing to grant write of habeas corpus. The men are under sentence of death by electricity. The general grounds for the motions of the Attorner-General are that it is essential to the administration and execution of the criminal laws of the Biate that the appeals should be speedily settled, and that the cases are brought here on frivolous statements for the purpose of delay.

The Bearing Sen Floot.

WARRINGTON, March 2.-The revenue steamers Bear and Rush are now being fitted out at Ban Francisco for their annual cruise in Alas-kan waters. The Bear will probably start about April 15, and the Rush about a month later. It is said at the Treasury Department that the sailing orders of these vessels have not yet been prepared, but that there is now no reason to believe that they will differ materially from the orders of last year.

Vall Bolessed on Ball.

Sr. Louis, March 9.-Charles F. Vail is at liberty. The man who was charged with the murder of his wife, in order to obtain the insurance on her life, was released to-day on bond. J. Brooks Johnson appearing as his bondsman and qualitying for \$150,000. Judge Normile has been asked to set the case for an early rehearing at the next term of court.

Victim of Cigarette Smoking. NEW HAVEN, March 9.-Thomas Colt. a 14year-old boy, was taken to the almahouse yea-terday violently insane. His mental derange-ment was caused by eigenrette smeking, and while raving he continually shouled for organities.

MORE ELECTORAL REFORM

SPECIAL MESSAGE FROM THE COV-ERNOR TO THE LEGISLATURE.

Ro Congratulates that Body for Taking the Initial Step Toward Submitting the Contested Elections - Other Refer Needed in Our Electoral System,

ALBANY, March 9 .- The Governor sent the following to the Legislature to-night:

To the Legislature : I congratulate the Legislature that with complete unanimity in the Assembly and with but eight dissenting votes in the Senate it has fitly supplemented the electoral reform legislation of last year by taking the initial step oward submitting to the judgment of the people a constitutional amendment transferring to the courts the determination of contested legislative elections.

In my special message a year ago in which I called attention to abuses that had followed the exercise of that privilege, so long enjoyed by legislative bodies, to be "the judge of the elections, returns and qualifications" of their own members, and in which, I believe, was contained the first official recommendation of the transfer of such jurisdiction to the courts. be the first to bring about this wholesome rehowever, the suggestion which I then had the honor to make, and which was repeated in my annual message this year, has now receive the warm endorsement of the Legislature, and the people whom we represent have the proud satisfaction of knewing that in the acomplishment of this much needed and now quite generally approved constitutional re-

proposed constitutional amendment will, if approved, supplement the electoral legislation of last year, there are certain important particulars in which our electoral system still needs strengthening. One additional safeguard I suggested to your attention in a special message on April 21 last, urging an extension of the so-called Corrupt Practices act, whereby political committees and agents should be required to file statements of their expenditures in the same way that candidates are now compelled to file them. That sugges-tion remains unacted upon.

Another safeguard is pure elections, which I have recommended at various times in my annual messages, and to which I now wish to give the emphasis of a special message, is a still further extension of the Corrupt Practices act to authorize the bringing of quo warranto proceedings by any candidate for the ousting of the successful candidate if it can be proved against the latter that either he or his

ousting of the successful candidate if it can be proved against the latter that either he or his political agents or committees have resorted to fraud or corruption to secure his election, and the giving of the office to the defeated candidate, provided it appears that neither he nor his committees have used corrupt means to promote his election. Such a provision was contained in the so-called Linson bill two years ago, and although the Legislature has neglected to engraft it upon the statutes, there has not been, so far as I am aware, any serious opposition to the principle which it embodies.

As I have said frequently before in my official communications, the enactment of this or an essentially similar provision would encourage procecutions and put a premium upon honest candidacy. The present law, to be sure, imposes severe penalties for fraud and disfranchises, for a period of five years, persons convicted of bribery, and this to a certain extent discourages corruption, but juries will find a verdict in a civil action, such as is proposed the effect of which will oust a man from his office for fraud or corruption without sending him to prison, where they would not convict him of a crime upon the same evidence. The accomplishment, therefore, of any practical good from a fuller description of criminal offences and the imposition of severe benalties requires such encouragement to prosecutions as would be afforded by the extension of the law which I have urged. This feature of the English Corrupt Practices act is regarded as having been conspicuously potent in the purification of elections in Great Britain.

By recent legislation we have reduced to a minimum the opportunities for men to sell their votes, and we have stamped the law's disapproval upon the improper expenditure of money by candidates for office. Shall we not money by candidates for office. Shall we not their votes, and we have stamped the law's disapproval upon the improper expenditure of money by candidates for office. Shall we not go still further, and compel the forfeiture of an office when the incumbent or his political agents can be proved to have employed illegal means to secure his election, irrespective of the size of his majority? No greater incentive to honest elections could a law present than that proof of bribervabould work the forfsiture of office. The Constitution of the State excludes bribers from the privilege of franchise. Shall our laws admit them to the right to hold office? This is the defect and shame of our present laws that, while it may be proved that many of the votes received by a snocessful candidate had been purchased, the election is not void unless the number of purchased votes equals or exceeds the candidate's snocessful candidate had been purchased, the election is not void unless the number of purchased votes equals or exceeds the candidate's plurality over his competitors. The proposed amendment would but carry out more closely the spirit of the Constitution, that any corrupt act on the part of a candidate or his sgents to secure an election should disqualify him from the right to hold office, whether or not he has been convicted of the offence in a criminal court. The poor candidate would then be on a perfect equality with the rich and the honest candidate would have his rightful advantage over his dishonest competitor.

Without discussing what should constitute the details of this proposed measure. I submit these suggestions to your consideration, trusting they may receive your approval and become part of our election laws. Under English law, when frand or corruption is proved, the election becomes void and a new writ of election is issued, and so the process may go on until no dichonest practices in an election are proved. Whether that is advisable in this country, or whether the law should provide, in case of proof of fraud or corruption, that judgment should be rendered in favor of the candidate receiving the next highest number of votes and so on. I submit to your intelligent deliberation.

DAVID B. HILL.

THE CALIFORNIA SENATORSHIP.

Balloting To-day for a Successor to the

Late Senator Hearst. San Francisco, March 9.-The California Legislature will to-morrow commence ballotnnexpired term of the late Senator Hearst, The Republicans have ninety votes out of a total of 120 in both Houses. It would require forty-six votes in the Republican caucus to decide upon a candidate, but as no caucus has been ordered the balleting will begin without the unanimous party action, and the early balloting promises to show a wide scattering of votes. The candidates most prominently mentioned are: Morris M. Estee. ex-Congress-

mentioned are: Morris M. Estee. ex-Congressman Charles Q. Felton, M. H. De Young,
George H. Boherake, ex-Gov, George C.
Perkins. Gen. N. P. Chibman, and ex-Senator
A. P. Williams.

The Democratic members of the Legislature
have evinced a desire to cast a complimentary
vote for some one of their party, and among
those mentioned are James V. Colemna, exMayor Pond. Congressman Thomas J. Clunie,
and William D. English. If balloting does not
result in an election within two or three days,
it is believed effort will then be made by the
Republican members to secure a party caucua.

Dr. Seamsa Says a Word for Bavid Farrar.

Dr. Louis Livingston Seaman visited Jefferson Market Police Court yesterday to intercede for David Farrar of 258 West Twenty-eighth street, who was committed on Sunday in de-fault of \$1,000 ball for assaulting Policeman Hazelton. Farrar interfered when Hazelton was trying to arrest Mrs. Farrar on a charge of robbing John B. Gallagher. Dr. Seaman of robbing John B. Gallagher. Dr. Seaman said he was prepared to go on Farrar's bond, but wanted the amount reduced. He was referred to the District Attorney's office, whither the papers had been sent. "David." said Dr. Seaman. "Is a good negro. I've known him many years, and he's as straight as a line. He was Gen. Schuyler's body servant for a long time. It was only natural that he sheuld try to protect his wife, and I am not going to let him stay in jail."

A How Will the Lyddys Come Out of Itt The Supreme Court, General Term, received yesterday from James M. and William M. Lyddy the affidavit for which James M. Lyddy secured an adjournment on the return day of secured an adjournment on the return day of the order requiring them to show cause why they should not be disbarred for unprofession-al cenduet. The amdavit is by Clerk Fitzerib-bons of the Begister's office, who attended the hearing before Referre Burrill. He says that he heard the referre sak for \$10, but could not tell whether he wanted that amount per day or per hour. He beard Mr. Lyddy object and say that he could not consent to pay the amount demanded because he had not consulted his client. The Court reserved decision.

A PLAN FOR TEMPORARY RELIEF.

The Real Estate Exchange Pavere Larger Pacilities for the Elevated Roads, The sub-committee on rapid transit of the

Real Estate Exchange resterday reported to the Legislative Committee of the Exchange a plan for the temporary relief of the engorged arteries of travel on the west side. The subcommittee has heard arguments in favor of proposal to permit the Manhattan Elevated Railway to have additional terminal facilities sioners be authorized by law to extend the lease of the property already occupied by the Manhattan Elevated Railway so as to give it a strip through Battery Park from Battery place to South Ferry not exceeding forty-two feet in width, except at the north end of the park, where it shall not exceed eighty-three feet in width for not exceeding 200 feet, and at the south end of the park, where it shall not exceed fifty feet in width in the park for not ex-

ceeding 300 feet.

The committee says in its report regarding

We have also considered a letter from Charles Collins in opposition to the proposal accompanied by a list of names. The proposal at that time, made on behalf of the elevated was for a loop, which would have occupied a considerable portion of Battery Park, and would have required the cutting down of many of the trees. That proposal has been withdrawn by the elevated road, and the present plan substituted. Your sub-committee consider that the slight infringement of public rights involved in the present proposal cannot to be gained by its adoption.

view with a committee from the West Side Association, who desire that before any further lease is granted torms should be made with the directors of the elevated railway as to what they are prepared to grant in exchange for further facilities. Your sub-committee is of the opinion that to propose any such condition now would be out of biace, and would defeat all possibility of bringing the matter to a satisfactory issue. Your committee feel that any such question can be fairly left to the Park Commissioners to decide, who should have power to grant the lease on such terms and conditions as they may deem expedient. Your committee also observe that the danger of serious accident now exists at this point, where four tracks are run into two, a danger against which, under the present condition, the directors of the elevated road are unable to guard, but which danger would be entirely obviated by the proposed additional tracks.

Your committee, therefore, recommend that the Park Commissioners be requested to grant to the Manhattan Evented Railway the further facilities suggested, on such terms as the Commissioners may deem event and ciation, who desire that before any further lease

al facilities."

The full committee accepted and endorsed the report and voted to secure the introduction in the Legislature to-day of the following amendment of section 669 of chapter 410 of the Laws of 1882: Laws of 1882:

And the Department of Parks is also vested with the sociousive power to permit sievated railway companies to use and enjoy such portion of said Rattery place or park, as to the said Board shall seem mest and proper, and upon such torms, and pursuant to such ruse and urdinances as the said Board may prescribe, not exceeding a strip extending from the north end thereof to south Ferry of the maximum width of 42 feet, except for such additional station platform space as may be required at the north and continue width of 82 feet, except for such additional station platform space as may on a such as the said of the said platform space as may be required at the north and south width of 82 feet and a park not exceeding 250 feet in length and 42 feet in width.

width.

I Lawyer Charles Henry Butler of 111 Broadway, who urged the adoption of the proposed plan for temporarily improving the racid transit facilities, said yesterday:

"The Manhattan Company now runs 600 trains in and out of the South Ferry station on the west side lines, and 1,200 daily in and out of Rector street. The double tracking which this plan proposes will, the officers of the Manhattan Company tell me, enable them to run 1,200 trains to and from the Battery, and will thus allow the use of west side tracks to their full capacity. Furthermore, the Manhattan Company will agree, if this additional facility is given them, to at once establish a frequent line of fast express trains on Ninth avenue, to run the length of the island. They cannot run these trains now, partly because of lack of terminal facilities and partly because the structure is not strong enough for fast five-car trains. The structure will be rebuilt and strengthened just as soon as terminal facilities are authorized. The addition of two tracks in the park will require no additional posts for the northern 500 feet, and the superstructure will simply spread out ten feet on each side." Lawyer Charles Henry Butler of 111 Broad

PELL COULD NOT TESTIFY.

A Day's Outing from Sing Sing with Noth-

The trial of James A. Simmens, for misan propriating the funds of the Sixth National Bank, was continued in the United States Circuit Court yesterday. George H. Pell had come down from Sing Sing to testify. He was in the custody of State Detective McNaughton. Except for the absence of his flowing darkbrown moustache, he had not changed in aplistened attentively while Simmons was sub-

listened attentively while Simmons was subjected to cross-examination by United States District Attorney Mitchell.

The judgment roll of the conviction of Peli in the General Sessions for robbing the Lenox Hill Bank was introduced in evidence by the defence, as well as the dismissal of the indictment in the General Sessions against Simmons and Wallack.

Judge Senedict refused to permit the examination of District Attorney Mitchell about the petition that has been sent to President Harrison for the pardon of Gen. Classen. Hector M. Hitchings testified that he had prepared such a petition and presented it to the Attorney Mitchell had not withheld his report on the petition until after Classen should have given his testimony in the "Simmons case was ruled out.

The defence resied. The prosecution called

riven his testimony in the Bimmons case was ruled out.

The defence rested. The prosecution called Pell, who walked dejectedly to the witness chair. Mr. Newcombe was on his feet in an instant protesting against Pell being sworn as a witness, taking the ground that he was under indictment in the court with Bimmons. Judge Benedict held the objection to be valid, and Pell went back to Sing Sing.

To-day counsel will sum up.

NAPOLEON WOOD WANTS MONEY.

Isn't Building Theatres Now, but Selling Mortgaged Furniture.

Allen H. Wood of 215 East 115th street was a prisoner in the Harlem Court yesterday. Mr. Wood won brief notoriety a year and a half ago by a brilliant scheme for constructing a palatial theatre in Harlem. Unfortunately he and the theatre did not get beyond the founda-

and the theatre did not get beyond the foundation. By that time Wood had borrowed all the
money he could, and his friends, finding he
wanted more and wanted it badly, naturally
stopped his supplies and asked him to pay
his debts.

This time he was in trouble because he had
disposed of furniture upon which Thomas
heighan, principal of Grammar School 39,
holds a mortgage of \$400. Wood has paid
\$9328.75 of the amount and said he had still
enough furniture on hand to secure Mr.
Meighan against loss. Mr. Meighan then said
he did not care to prosecuts.

Young Wood took occasion to say to Justice
Divver that he had been persecuted ever since
he married a Jewess. I know that you are
doing wrong just as well as I know that you
are a smooth talker, but you are discharged,"
said Justice Divver.

Fell Into a Vessel's Hold.

Alongside the pier at the east side of Corlears street lies the Italian bark Teresa Accama of Genoa. Timothy Dwyer of 318 Monroe street was among the 'longshoremen employed by W. B. Smith & Co., who began yesterday morn-ing to unload the bark's cargo of block and slab marble. The deck was slippery, and alab marble. The deck was slipper, and Dwyer's step was not steady, and he fell into the lower hold, a distance of about thirty feet, striking his bead on the edge of a marble slab, lacerating his scalp, and causing a compound fracture of the skull. He did not lose consciousness, but after being put to bed in Gouverneur Hospital he insisted on being taken home. Two hours later Dwyer's father, Dennis, who lives at 674 Water street, sent for the ambulance again, and Timothy was taken back to the hospital in a worse condition than when he left it. Dwyer is 89 years old. He was born in New York.

A New Chief of the Night Watch.

Surveyor Lyon displaced yesterday Capt. and his two lieutenants, Inspectors Holder and Post, and in their places put Capt Lockwood and Inspectors Lawrence and Harriden wood and Inspectors Lawrence and Harriden. This was the first algnificant move of the Burveyor is his investigation of the charges that a score or more night inspectors were found aslesp or off their point by Treasury Inspectors Parrott and Prior at midnight last Wednesday, The Burveyer said he had not yet enspected any of the accused inspectors, and that he would not suppend them until he had looked more carefully into the acce.

The letter of Land 19

SPRING SUGGESTIONS.

Avail draughts and sudden changes of ter De not discard your warm winter clothing too soon It is better to unflor a little inconvenience than to take cold.

Remember that one to conscially liable to contract bad cold or chill at this season of the year.

A cough or cold contracted between the seasons the most annoying kind, and may last through the

If you feel a cough or a cold coming on take a drink of pure whickey at once. It will keep the blood in cirenlation and is the best preventive against the disease

Remember that only pure whiskey should be taken.

Duff's Pure Malt Whiskey has the strongest recommendations from the leading scientists and medical
men. It is the only standard medicinal whiskey. Take

WHO ISSUED THIS DIVORCE?

By a Non-existant Illinois Court to Early last month a woman calling herself Mary Ann Jukes died in Brooklyn. She kept a store in Atlantic avenue and lived alone elatives appearing at her death, the Public Administrator took possession of the property she left. A short time afterward a man named James Forfar appeared, claiming to be the woman's husband, and endeavored to obtain possession of the property. He engaged D. G. Harriman of 19 Park place as counsel. Forfar produced complete evidence that he

was married to the woman, whose malden

months after the marriage he was called to Scotland and did not resume to this country until 1876. He did not resume relations with his wife.

In the course of the case a sister of the woman Jukes appeared and produced a copy of an alleged judgment of divorce, obtained by Mary Ann Jukes against her husband in 1874. The judgment was alleged to have been issued in Believille, St. Clair county, Ill. It said that the defendant failing to plead, answer, or demur, judgment was ordered pro confesso; that testimony was taken by a master in chancery, and that, as all material allegations were sustained, judgment of divorce was granted, with costs. The copy presented in the Brocklyn court was attested as genuine by Henry Ferris. "Clerk of the Superior Court, within and for the county of St. Clair, Illinois," and had the seal of the alleged court affixed to it.

Mr. Harriman was satisfied after making some investigations, that the divorce papers were a fraud. It has been proved that the woman Jukes, or Forfar, was never out of the State of New York. Inquiry was made of the County Clerk at Belleville, and he replied that there was no Superior or Supreme Court of St. Clair county in 1874. There never was any such Judge in St. Clair county as Lewis B. Allen, the name affixed to the decree. Nor was there ever a clerk of the court tamed dienry Ferris. There is no record at Belleville of any case of Forfar art. Forfar.

Believille is the capital of St. Clair county, and the office of the Circuit Clerk has been there for over seventy years and all that time the court has been held there.

Mr. Harriman said yeareday that he was convinced that the spurious divorce decree was issued in New York city. He thinks he is on the track of the attorney who sold the papers. months after the marriage he was called to Scotland and did not return to this country

LEAVES DIVINITY FOR THE LAW. The Rev. Dr. Powell Surprises the Lee Avenue Congregational Church,

Nearly all of the large congregation of the Lee Avenue Congregational Church in Brooklyn were surprised on Sünday morning. After the sermon the pastor, the Rev. Dr. Henry A. Powell, announced briefly that he had determined to retire from the ministry on May 1. and become a lawyer. He reminded his congregation that he had been suffering from

throat trouble for a long time and that his voice although better than formerly, was still n too precarious a state to allow him to conin too precarious a state to allow him to continue his work. "Then, too." he added, "while I have found the pulpit work very pleasant. I have found some of the details of a minister's work distasteful to me."

The congregation crowded around him after the service and tried to dissuade him from his determination. But they found that he had talked the matter over fully with the trustees and the Nunday school board the week before and that all his arrangements were complete.

trustees and the Nunday school board the week before and that all his arrangements were complete.

Dr. Powell graduated from the law school of the University of the City of New York. He was admitted to the bar in 1882, but he had been preaching before that time. In 1876 he became paster of the Bushwick Reformed Church and continued there seven years. All this time he was having more or less trouble with his throat. In 1883 he was called to the lee Avenue Congregational Church and he has been there since. He has declined several calls, among them a very inviting one from the old South Church of Worcester, Mass., a short time ago. Two years ago his voice failed him entirely for a while and it was thought he would not recover it, but treatment by a specialist gradually restored it. The physician warned him that he would have to be careful. A few months ago he formed a partnership with James C. Foloy, an attorney at 266 Broadway, to begin May 1.

The regret of the people of the church istempered by the fact that Dr. Powell will still live among them, and be a member of the church. "I shall occupy a pew instead of the platform." he said yesterlay, and perhaps I shall even preach once in a while." A meeting to make arrangements for a successor will be held next Monday evening. Under Dr. Powell's pastorate the income of the church has been increased from \$3,000 a year to \$12,000. The pastor receives a fine saiary, and the work is as pleasant as that of any church in Brooklyn.

DRUNK WHILE HER BABY STARVED Mrs. Doyle Charged With Patal Neglect of her Children.

Mrs. Margaret Doyle of 18 Cornelia street. good-looking young woman not more than 21 years of age, was arraigned yesterday before Coroner Levy by Agent Finn of the Children's Society, charged with causing the death of her two-year-old illegitimate daughter, Mary, Coroner at Mrs. Dovle's house last Wednesday

Dy neglect. There was another call for a Coroner at Mrs. Dovle's house last Wednesday The case was that of Mrs. Doyle's six months old child, James Peter Doyle. Deputy Coroner Donitn made an autopsy, and found that the baby had died of mara-mus and bronchitis, and that death had been caused in part by neglect of the mother.

On Saturday afternoon Agent Finn found Mrs. Doyle in bed aslee p from the effects of a prolonged spree. On the kitchen table, dressed only in a few raza, was the dead body of the little girl. The neighbors who gathered in the room said the child had had nothing to eat for lyw days. When she was hungry and cried Mrs. Doyle forced her to drink whiskey. Some of the besonle who lived near had tried to interfere, but Mrs. Doyle would lock the door and refuse them admittance.

Teter Doyle, the woman's husband, is a baker, and earns \$21 a month. He sometimes drinks to excess. Mrs. Doyle's father, who lives in the rame house, says his daughter has but one fault—her love for liquor.

Mrs. Doyle showed little emotion in the Coroner's office, but when Informed by Justice McMahon in the Jefferson Market Police Courths at the result of an autopsy on the girl's body, she cried bitterly. Deputy Coroner Jenkins will make an autopsy to-day.

Ne More Bircetors Bailed.

No More Directors Bailed.

Director Henry C. Robinson of the New Haven Railroad has written to Coroner Lavy that he and Directors Trewbridge and Brainard, all o Connecticut. will come on to this city and give ball in the tunnel collision case. Director Renry S. Lee of Springfield, Mass., offered ball yesterday without coming to the city, but it was not accepted. The bondsman who offered himself was being Manilia of this city.

The case will probably be submitted to the Grand Jury to-morrow.

THE CONNECTICUT MUTUAL LIFE IN-SURANCE COMPANY.

From organization in 1846 to Jan. 1, 1891, has paid to pol-

fcy holders...... \$145,835,390 80 And now holds for their protection..... 58,747,707 4

While it has received from

It has earned for its policy holders a gain over premium

payments (after paying all expenses and taxes) of \$40,324,149 47 or 24.55 per cent.

PHILIP S. MILLER, General Agent for New York city and vicinity and New Jersey, 1 Wall st., New York oliga.

PLENTY OF MONEY FOR ALL.

THE FAYERWEATHER WILL CONTEST SETTLED OUT OF COURT.

Large Additional Gifts by the Executors to Mrs, Fayerweather and Two Nicces
-A Settlement that Covers Just About
65,500,000 - The Gifts to Colleges.

The contest of the will of Daniel B. Fayeran end yesterday. When the case was called in the Surrogate's Court in the morning, ex-Surrogate Rollins and Mr. Holden of the firm of Coudert Bros., as counsel for the contestants, asked leave to withdraw their objections to the probate of the will and the codicils. The Surregate granted the motion immediately

and admitted the will to probate. He said: "I think it is proper that I should say now that, as the case stands to-day, there has been tion that undue influence was used by the executors. No pretence of undue influence nor any suspicion of any improper influence has been created in my mind by the testimony before me. Upon all the evidence the will and codicils seem to be the result of a testamentary intention existing in Mr. Faverweather's mind for years, and it is beyond the possibility of a

intention existing in Mr. Fayerweather's mind for years, and it is beyond the possibility of a doubt that the will and codicils are entitled to probate."

Neither Mrs. Fayerweather nor any of the blood relatives of the dead millionaire were in court, but there were representatives of several of the colleges and hospitals which are beneficiaries.

Mr. Fayerweather died last November possessed of an estate which conservative estimates put at \$5.500,000. Of this he willed \$2.195,000 to hospitals and colleges. He left his wife an annuity of \$15,000 and his house and only \$10,000 in cash. His other relatives were Mrs. Lucy J. Beardsley of Bridgeport. Mary W. Achter. Emma C. Drury, and Anna Amelia Joyce, all nisces. Mrs. Beardsley got \$100,000, the next two \$20,000 each and Miss. Joyce \$4.000 a year. The rest of the estate he left tabaclutely to his executors. Thomas G. Ritch. Henry B. Vaughan, and Justus L. Bulkley, with a private understanding that they were to divide it among colleges and hospitals. It was this disposition of the residuary estate that was objected to.

They charged that the executors, particularly Mr. Vaughn, had influenced the millionaire on his deathbed to leave his residuary estate to them. While the case was in court the executors executed a deed of sift which gave \$2,042,000 specifically to colleges and hospitals. It gave to Mrs. Payerweather any enlargement of her annuity that she might deaire, to Mrs. Beardsley \$100,000 more, to Mrs. Drury and Mrs. Achter \$20,000 each more, and to Miss Joyce \$1.000 a year more, besides distributions to minor beneficiaries. The deed divides whatever may be left into ten parts, one to go to Yale, one to Harvard. one to Princeton, one to Columbia, one to the Prespoterian Hospital.

The terms of the present settlement could not be learned yearerday, because the contest-

byterian Hospital, and five to the woman's Hospital.

The terms of the present settlement could not be learned yesterday, because the contestants' lawyers were unwilling that they should be made public. They asked the executors not to make them public. Haley Fiske of the firm of Arnoux, Ritch & Woodford, who represented the executors in court, said, however, that shortly after the deed of gift was filed. Mrs. Fayerweather and the other blood relatives filed with the executors applications for increased annuities. The requests were reasonable, and the executors chercility granted them. A sum of money was also given to Mrs.

increased annuities. The requests were reasonable, and the executors cheerfully granted them. A sum of money was also given to Mrs. Fayerweather. Mr. Fiske would not give any figures. It is said to have been \$40,000. It is said that \$10,000 a year was added to her income. making it \$25,000. The bequests and gifts to Mrs. Achier and Mrs. Drury were doubled, it is said making \$80,000 apiece for them. On Saturday the representatives of the contestants and the executors and the beneficiaries met, and the agreement was made to withdraw the contest.

If the settlement was made on the basis indicated \$4.237,000 of the extate will go to colleges and hospitals, and there would be \$1.263,000 out of \$5.500,600 left to pay the other becausets and to yield the annuities. The cash amounts to be paid out of the \$1,263,000 are \$200,000 to Mrs. Beardsley, possibly \$60,000 to each of the other nicess, and \$76,000 to others. This will leave \$827,000 to yield the annuities of \$31,000 for Mrs. Fayerweather, Miss Anna Amelia Joyce, and E. M. Upham. If the estate is no mored than \$16 millions there will probably be no residue to divide in ten parts until annuities fail in.

The bequests and gifts to colleges and hospitals are now as follows:

\$50,000 100,000 200,000 50,000 100,000 80,000 67,000 Wabash
Yale (\$100,000 to be used for the Shat-Union Theological 450,000 Seminary
Union (Schenectady).
Beverford.
University of the City
of New York.
University of Fenn-100,000 100,000 25,000 50,000 100,000 25 000 50,000 Shattuck School.... Trinity.... Northwestern Uni-100,000 100,000 The Cooper Union (the hoems for the support of the Woman's Art Sch'i 200,000 Prospitata 25,000
Rt. Luke's 25,000
Wanhattan Eye's Ear 25,000
Woman's 10,000
Neunt Sinal 10,000 Nanhatian Eye E Ear Woman's. Neunt Sinal New York bye & Ear Manhatian Dispen'y Montedore Home for Chronic Invalda. Nethodist (B'lyn). New York Cancer Esciety of St. Vin-..... 25,000 25,000 26,000

The Question of Physicians' Responsibility. SYRACUSE, March 9.-The medical practitioners of this city have been in private council to-day to decide upon the best method of resisting the effect of the verdict given by a jury on Saturday against Drs. J. W. Sheldon and J. Willis Candes, charged with mal-practice in the setting of a Colles fracture of a boy's arm. Damage in the suit was laid at \$10,000, and an award was made of \$4,000. The muleted physicians are homocopaths, and The mulcied physicians are homoconths, and to a certain extent the animosity of the allocating states school was directed against the defendants, but the precedent of a verdict in such a case has seriously alarmed the whole profession. To-day Drs. Sheldon and Canden have been strongly urged to carry the case up, and have received assurances of moral and mancial assistance from the leading physicians of the city. There is also talk of presenting to the Legislature a draft of a law, in amendment of that existing, calculated to relieve the profession of liability in cases no better established than was the present one.

60,000

50,000

CHICAGO, March 9.-The Bureau of Construction of the World's Fair will make a change in the plans for the pier which will run into the lake. Instead of an ornamental casino at the end of the pier a Venetian village will be built. end of the pier a Venetian village will be built. The houses will be reproductions of houses in Venice, built almost on a level with the lake, and will be used as restaurants and resorts. Roores of little steamers and ornamental gondolas will be used to convey the visitors through the Venetian streets, and the gondolas will be manned by crews in holiday attice, costumed after the pictures use manner of the gondollers of Venice. At night this village will be illuminated.

Celebrated Her 101st Birthday, Hartrond, March 9,-Mrs. Sallie Cannon celebrated her 101st birthday to-day at the

residence of her son. William T. Cannon. Mrs. Cannon was born in Wallingford. Conn. Her Cannon was born in Wallingford. Conn. Her health is good, and she does not use glasses. She remembers the death of Washington, and referring to it says: "I was then a slip of a school girl in the Wallingford school, and the teacher pinned to the sleeve of my frock a bit of crape in token of the ex-Fresident's death. I remember the event distinctly, and when the bit of crape was removed I selt sorry, for I was very proud of the badge."

Two Boys Killed on the Truck.

HAZLETON, Pa., March 9.—The express train for Philadelphia, while running at a very rapid rate of speed near Penn Haven yesterday. dashed into a crowd of boys who were walk-ing toward Weatherly. The boys were on the up track, and stepped on the other track to ea-caspe a special passenger train. They did not see the express approaching, and two of them, George Bosse, aged 17, and about weeks, aged 15, were struck and instantly killed.

A FACT.

Weak, Tired, Nervous-New Stress

She suffered from apring debility and nervous pres-tration. Entering a druggist's, she told him how weak, pervous, tired, and miserable she felt. medicine—the best spring tonic and restorative you can possibly take, for it not only gives strength to the nervea, invigorates and enriches the bigo, but regulates the atomach, liver, kidneys, and

And then be told her of a great many cases it had cured, that it was purely vegetable and harmless, and

purchased, and never regretted it, for it made her, and will make you, strong, vigorous, and "I suffered with ma-

complaints, pervous prostration, and sleep-lessness I was so weak I was confined to my bed. I used Dr. Greene's Nervura, and feel that it has given me a new

MRS. E. S. BOGART, Baptist Home, 68th at. N. Y. 23" Dr. Greene, the successful specialist in curing all forms of nervous and chronic diseases, 35 West 14th st. New York, can be consulted free, personally or by letter. Call or write him about your case or send for aymptom blank to fill out, and a letter fully explaining

HAS THE SERVANT GIRL A PULL? Mrs. O'Hure Tests the Question and Pinds
Her Opiulon Confirmed.

Mrs. Mary O'Hare of 158 West Fifteenth street, driven to desperation by the misbeferson Market Police Court vesterday and demanded that the girl, Maggie Boyle, be arrest-. ed at once. Maggie had been in her employ about six weeks, and had committed almost every crime known to the penal code. When asked to particularize, Mrs. O'Hare said she thought it was cruel to ask a woman to talk in a police court. She had never been in a court before. She was quite sure that she would not get justice, but she thought she would find out whether the servant girls or the mistresses were considered by the law as the owners of the houses they lived in.
Justice MacMahon had evidently been af-

flicted with a servant girl himself, and listened flicted with a servant girl himself, and listened with ready sympathy. He explained that he could not issue a warrant unless a complaint was made and sworn to.

"What do you think I came here for." asked Mr. O'Hare. "If I didn't have a complaint? Can't I have her arrested for stealing my groceries and canned things? Can't she be locked up for only returning ten sheets when I sent down eleven to be washed? Have I no redress for the loss of my pillow cases and napkins? Since I missed the things and began to count the washing more than a dozen pillow cases have gone—all made of good mustlin, about two yards of it in each, at 20 cents a yard. You can reckon for yourself how much I am out of pockst."

pocket."
"Will you swear that the girl stole those "Will you swear that the girl stole those things?" asked the Justice.
"Of course I will. She left me this morning without warning, but her trunk is at my house and I want the girl arrested and her trunk searched. She called me every vile name she could think of before she left, and I think she was drunk."

"What did she call you? Perhaps I can grant you a warrant for her for disorderly conduct."

"You expect me to repeat such language!, I wouldn't say one word of it if you send me to prison for retusing. I never used an improper word in my lite, and I am not going to begin in a police court. No, I won't go into your private room and say them. You capt to be sahamed of yourself for saking."

Between his inclination to laugh and his dewate room and say them. You sught to be sahamed of yourself for saking."

Between his inclination to laugh and his desire to maintain the dignity of the bench Justice McMahon was in a quandary. He told Mrs. O'Hare that if she would make an affidavit that the goods she had missed were in the trunk Maggie had left at her house he would grant a search warrant. She expressed a willingness to swear to her statement, and was referred to Chief Clerk Laskey. After she had told the clerk that she was twenty-four years old he explained to her the nature of the oath she was about to take and the penalties that she would render herself liable to if a search of the trunk revealed none of the missing articles. That settled it. Loudly exclaiming that she knew there was no law or justice in New York for mistresses, and surmising that if Maggie Boyle had visited Justice MacMahon to make a complaint she would have been treated with more courtesy. Mrs. O'Hare left the court room with much dignity of manner.

Burgiars Surprised at Their Work. Detectives Carey and Flynn of the Church street station, while going through Greenwich atreet late on Saturday night, noticed an open window in the cigar factory of Carey & Finn. at 183. A light was moving about inside. The officers entered the open window, drew their revolvers, and moved toward the light. They saw three burglars packing up boxes of olgars. When the officers presented their revolvers one of the men who held a dark lantern dropped it on the floor, when it was extinguished, and there was a scramble in the dark. Each detective secured a prisoner and took him to the station house. They were John Mullins and George Smith. Later the detectives arrested Charles Goodwin and Timothy Lanahan. They were held for trial in the Tombe Court jesterday. at 183. A light was moving about inside. The

Can't Bring Himself to Tell the Truth. A 12-year-old boy was found at 2:30 o'clock yesterday morning wandering about Man-hattan avenue. He was locked up and yesterday was sent to the Hariem jail to see if another night in a cell would induce him to another hight has sell would induce him to tell the truth. Up to date it is believed he has lied every time he could be persuaded to say anything. He first described himself as an orphan named Michael Bagley, and then he gave his name as Edward Forst, and said his parents were alive and lived in Ninety-seventh Agent Barkley asked him if he was born in this country. The boy replied with no apparent intention of jesting: "No; in Philadel-phia."

Sick at Heart, Me Hanged Himself. Christopher Koster, 40 years old, of 546 Ninth avenue, a driver for Theodore Westing's iron works at 449 West Forty-first street, hanged himself yesterday to a feed rack beside his horse in the tasement. He had been seen a rew minutes before by Engineer Schreiner, to whem hoster said he was sick at heart. Schreiner said yesterday that Koster was a widower, and that some time ago he fell in love with a German girl, who had refused to marry him.

OUR NEW STYLES

Of Maple (natural finish) Bedroom Suits are much praised for assistant of design and evident good workmasship.

The wood has been so carefully propared as to stand any test of hot-air furnaces, and age will bring out the grain to great perfection. Those at 840 seem to be worth double the money.

A PEW YEARS SINCE WE SOLD GOODS NO BETTER FOR THRICE THE PRICE, AND THEN, AS NOW, UNDERSOLD ALL THE TRADE.

CEO. C. FLINT CO.

Furniture Makers, 104, 100, AND 100 WEST 14TH ST.